

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION**

<b>FORD MOTOR CREDIT COMPANY LLC,</b>	§	
<b>Plaintiff,</b>	§	
	§	
	§	
<b>v.</b>	§	<b>Civil Action No.: 5:18-cv-00186</b>
	§	
<b>BART REAGOR AND RICK DYKES,</b>	§	
<b>Defendants.</b>	§	

**DEFENDANTS’ RULE 56(d) MOTION TO DEFER CONSIDERATION OF  
PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT  
AND TO TAKE DISCOVERY**

Pursuant to Rule 56(d) of the Federal Rules of Civil Procedure, Defendants Bart Reagor (“Reagor”) and Rick Dykes (“Dykes”) file this Motion to Defer Consideration of Plaintiff’s Motion for Summary Judgment and to Take Discovery. For the reasons set forth more fully in the accompanying brief in support of Defendants’ Motion, Defendants respectfully request that this Court defer consideration of Plaintiff’s Motion for Summary Judgment [ECF No. 28], and stay all briefing associated with Plaintiff’s Motion for Summary Judgment, until Defendants have an opportunity to conduct discovery essential to justify their opposition to Plaintiff’s Motion for Summary Judgment

Respectfully submitted,

/s/ Marshall M. Searcy, Jr.

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**ATTORNEY FOR RICK DYKES**

**CERTIFICATE OF CONFERENCE**

I certify that I conferred with Ford Credit's counsel on January 24, 2019, regarding the relief sought by this motion. Ford Credit's counsel informed me on January 25, 2019, that Ford Credit is opposed to the motion. It is therefore submitted to the Court for consideration.

/s/ Scott Wiehle

Scott Wiehle

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing to be delivered to the following parties in accordance with the Federal Rules of Civil Procedure on January 25, 2019.

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/s/ Marshall M. Searcy, Jr.

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